Nixon Won't Furnish Data To Jaworski

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President Nixon has flatly refused to turn over any more tapes involving the Watergate scandal, Special Prosecutor Leon Jaworski said yesterday.

Abandoning weeks of fruitless backstage dickering for the evidence, Jaworski underscored the impasse by reporting it in a letter to the Senate Judiciary Committee.

He said the White House has also rejected requests for tapes and documents relating to the Nixon campaign's so-called "milk money" and spurned attempts by Watergate prosecutors to review several files involving the work of the White House "plumbers."

"It is now clear that evidence I deem material to our investigations will not be forthcoming," Jaworski wrote Senate Judiciary Chairman James O. Eastland (D-Miss.).

He said the final turndown was contained in a letter Wednesday evening from White House special counsel James D. St. Clair, who, Jaworski emphasized, was "acting at the direction of the President."

The special prosecutor said some of the still unmet requests for evidence have been sitting at the White House since August.

The files the White House has refused to let the prosecutors examine apparently included all those once maintained by former White House adviser John D. Ehrlichman and now classified as "presidential" documents.

Jaworski's decision to make his grievances public immediately touched off forebodings on Capitol Hill in light of Special Prosecutor Archibald Cox's ouster last fall after a similar confrontation.

One member of the Senate Judiciary Committee, Edward M. Kennedy, (D-Mass.), immediately urged Eastland to call the committee together "at the earliest possible time to consider the ominous implications of Mr. [illegible] letter."

He said the [illegible] should be given the [illegible] testify.

Seconding the [illegible] Sen. Birch Bayh (D-Ind.), [illegible] other committee members, said through a spokesman that he intended to sound out his colleagues about [illegible]

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tion of the Watergate break-in and cover-up, Jaworski said he had asked the White House last month for copies of 27 tapes of "specified presidential meetings and telephone conversations" that might shed light on the scandal.

Jaworski said he was refused any of these recordings in the letter from St. Clair reaffirming earlier but less clear-cut refusals from the White House.

The special prosecutor said this would not block the Watergate indictments expected later this month, but he hinted strongly that he considered the 27 tapes and related documents important enough to warrant subpoenas for them later on.

"Although it is true that the grand jury will be able to return indictments without the benefit of this material," Jaworski wrote, "the material is important to a complete and thorough investigation and may contain evidence necessary for any future trials."

Jaworski said he assured St. Clair at a meeting last Friday that he would make no more requests for evidence "relating to the grand jury's investigation of the Watergate break-in and cover-up" if the new tapes were produced.

"This was in response to the President's concern that there would be an endless stream of requests," Jaworski said.

Mr. Nixon, however, stuck by the harder line he publicly signaled in his State of the Union message last month when he said that he had provided Jaworski "all the material he needs to conclude his investigations and to proceed to prosecute the guilty and clear the innocent."

Jaworski said he had supplied the White House on Jan. 2 with a statement of his "particularized need" for each of the 27 tapes.

In refusing the request, the White House, Jaworski said, simply asserted that compliance "would be inconsistent with the public interest and the constitutional integrity of the office of the presidency.

"There was no indication in the latest refusals," Jaworski [illegible] any requested recording is either irrelevant to our inquiries or subject to some particularized privilege."

Depositions, Jaworski said St. Clair notified him "that

the President has refused to reconsider his earlier decision to terminate his cooperation with this investigation, at least with regard to producing any tape recordings of presidential conversations."

Deputy presidential press secretary Gerald L. Warren told newsmen in Miami yesterday that the White House feels it has given Jaworski enough, not only for the Watergate scandal but for all the investigations he is pursuing.

Asked whether Jaworski would be fired if he persisted in his attempts to get more, Warren said only: "You're asking me to comment on something that's not before us."

Jaworski voiced no such apprehensions. He said in his letter to the Senate Judiciary Committee that he was submitting it simply in line with a promise he made to the committee in December to notify it of any impasse between him and Mr. Nixon. Although Jaworski offered in the letter to supply the committee with additional information, a spokesman for the special prosecutor said he was not invoking public hearings on the issue.

"That was not the purpose of the letter," said the spokesman, James S. Doyle. "He simply felt a responsibility to inform the committee, and that's all he meant to do."

Touching on other investigations that he said are being frustrated, Jaworski cited the controversial contributions of $427,500 to Mr. Nixon's campaign by three big dairy farm co-ops that successfully lobbied the administration in 1971 for an increase in milk price supports.

Jaworski said this was "the second major area in which the White House now has refused cooperation," both in supplying tapes and documents. He said aides in charge of the milk-money investigation have told him the White House turndowns will "retard" the scope.

Of the investigation into the activities of the White House "plumbers," including their July break-in into the offices of Daniel Ellsberg's psychiatrist, Jaworski said his prosecutors have been allowed to review the special unit's files, but not those of two former White House staff members already involved in the unit's work.

Jaworski did not name the pair, but he apparently was referring to Ehrlichman and former White House aide Egil (Bud) Krogh Jr., who headed the plumbers' unit and is now serving a six-month federal prison term for the Ellsberg burglary.

Jaworski said he has been provided with 11 presidential tape recordings and a dictabelt and cassette of Mr. Nixon's recollections related to the main Watergate investigation, most of them in response to a subpoena.

His prosecutors have also been given tape recordings for the milk money inquiry, one touching on the plumbers' investigation and three relating to the investigation of the administration's settlement of three antitrust cases against the International Telephone and Telegraph Corp.

They have also been promised "certain documents" involving the recently initiated investigation of the reported erasures, gaps and nonexistence of some subpoenaed Watergate recordings, but Jaworski indicated that most of these have yet to be produced.